

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4326

**A BYLAW TO AMEND THE LAND ASSEMBLY, HOUSING
AND LAND BANKING SERVICE ESTABLISHMENT BYLAW NO. 1, 2010**

WHEREAS:

- A. By Supplementary Letters Patent, Division XII dated July 25, 1974, as amended by further Supplementary Letters Patent, the Capital Regional District was granted the function of Land Assembly, Housing and Land Banking which included the power to undertake land assembly for the purpose of housing, either public or private and, public housing, pursuant to the provisions of the *National Housing Act*, the *Municipal Act*, the *Housing Act*, and other legislation pertaining to land assembly and public housing, as if the regional district were a municipality;
- B. Under Bylaw No. 3712, Land Assembly, Housing and Land Banking Service Establishment Bylaw No. 1, 2010, the Capital Regional District converted this to a service under the *Local Government Act* in all member municipalities and electoral areas (the "Service"). The Service includes a limit on when the Board may refer decisions on borrowing for the purposes of the service to the electorate, putting a maximum borrowing amount on the service of \$25-million, as well as a limit on the length of time the Board may enter into housing agreements;
- C. To maintain the intention of the *Local Government Act* and the service participants that the electors may determine when borrowing is appropriate, the limitations on borrowing and on the housing agreement limit should be updated to reflect the current law, all subject to the *Local Government Act*;
- D. Removal of this administrative cap on borrowing is not a removal of the right of the electorate to accept or to decline the borrowing of funds to support the service, nor is it a removal of the Board's ability to decide not to pursue borrowing;
- E. Pursuant to Section 407 of the *Local Government Act*, participating area approval is required and shall be obtained by alternative approval process under Section 345 of the *Local Government Act*; and
- F. The approval of the Inspector of Municipalities is required under Section 403 of the *Local Government Act*.

NOW THEREFORE the Board of the Capital Regional District in open meeting assembled enacts as follows:

- 1. Bylaw No. 3712, "Land Assembly, Housing and Land Banking Service Establishment Bylaw No. 1, 2010" is hereby amended as follows:
 - (a) By amending section 1 (a)(iv) to read "Authorizing the Regional Board to borrow on behalf of the service or for corporations established under ii) above, pursuant to the provisions of the *Local Government Act*"; and

(b) By amending section 1(a)(vi) to read "Authorizing the Regional Board to enter into housing-related agreements and housing agreements for any duration, pursuant to the provisions of the *Local Government Act*,".

3. This Bylaw may be cited as the "Land Assembly, Housing and Land Banking Service Establishment Bylaw No. 1, 2010, Amendment Bylaw No. 1, 2019".

READ A FIRST TIME THIS 11th day of September 2019

READ A SECOND TIME THIS 11th day of September 2019

READ A THIRD TIME THIS 11th day of September 2019

APPROVED BY THE INSPECTOR OF MUNICIPALITIES
THIS 20th day of October 2019

RECEIVED THE ASSENT OF THE ELECTORS UNDER SECTION 345 OF THE *LOCAL
GOVERNMENT ACT* THIS — day of — 20__

ADOPTED THIS — day of — 20__

CHAIR

CORPORATE OFFICER

FILED WITH THE INSPECTOR OF MUNICIPALITIES THIS — day of — 20__